

FILE

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

OFFICE OF  
MANAGING DIRECTOR

February 28, 2005

John S. Neely  
Miller and Neely, P.C.  
6900 Wisconsin Avenue  
Suite 704  
Bethesda, MD 20815

Re: FY 2002, 2003 Regulatory Fees  
for KNAX(AM)  
Fee Control No. 0309188835064016

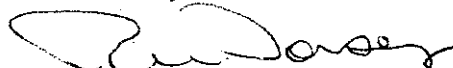
Dear Mr. Neely:

This is in response to your request filed on behalf of Mortenson Broadcasting Company (Mortenson) for refund of regulatory fees for the fiscal years (FYs) 2002 and 2003 for expanded band station KNAX(AM), 1630 KHz, Ft. Worth, Texas. You provide documentation that shows Mortenson paid regulatory fees for KNAX(AM), an expanded band station, for those two years totaling \$8,600.00.

A review of our records confirms that Mortenson paid regulatory fees for AM expanded band station KNAX for FYs 2002 and 2003, along with regulatory fees for its companion standard band station KHAVN, also owned by Mortenson. Accordingly, we will waive the regulatory fees for Mortenson's associated expanded band station for good cause shown. We find it is in the public interest to waive the fee because to do so will encourage licensees to move stations from the standard band to the AM expanded band thereby helping to reduce interference. See 47 C.F.R. §§ 1.1166. Therefore, we will refund the regulatory payments attributable to station KNAX. We shall forward a check for \$8,600.00 (\$4,100 for FY 2002 and \$4,500.00 for FY 2003.) to Mortenson Broadcasting Company, as requested.

If you have any questions concerning this matter please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger  
Chief Financial Officer

LAW OFFICES

MILLER AND NEELY, P. C.

JERROLD D. MILLER  
JOHN S. NEELY\*

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6900 WISCONSIN AVENUE  
BETHESDA, MD 20815

(301) 986-4160  
FAX: (301) 986-4162

\*ADMITTED PA AND DC ONLY

August 16, 2004

Marlene Dortch, Secretary  
Federal Communications Commission  
Washington, DC 20554

RE: Regulatory Fee Refund Request

ATTN: Claudette Pride, Chief  
Revenue and Receivables

Dear Madam Secretary:

On behalf of Mortenson Broadcasting Company, licensee, you are respectfully requested to refund the FY02 and FY03 Regulatory Fees paid for expanded band station KNAX(AM) Ft. Worth, Texas, (FAC ID 87147). In support thereof you are advised as follows:

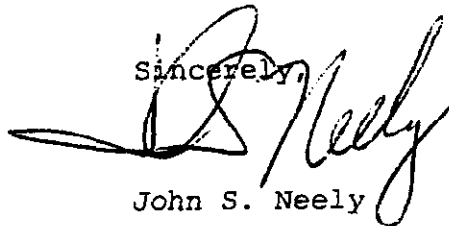
In preparation for filing the KNAX FY04 Regulatory Fee payment, counsel learned for the first time that Commission policy provides that stations operating in the expanded AM band (1610-1700 kHz) are considered to be similar to experimental stations and, therefore, exempt from regulatory fees when the relevant regulatory fee is paid for the companion standard AM band facility.

Station KNAX operates on 1630 kHz, while its companion standard band facility KHVN(AM) (FAC 63780) operates on 970 kHz. Copies of documentation submitted with the FY02 and FY03 Regulatory Fees for these two stations are submitted herewith.

Based on Commission policy, the applicable regulatory fee was paid for KHVN in FY02 and FY03. Therefore, station KNAX is exempt from its FY02 and FY03 regulatory fee. You are respectfully requested to issue a full \$8,600 fee refund for the unnecessary regulatory fees paid by station KNAX.

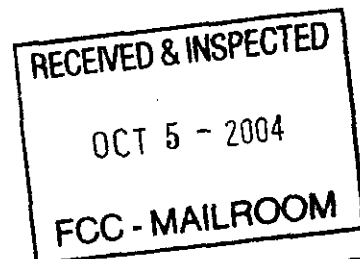
Please address any questions concerning this matter to the undersigned.

Sincerely,



John S. Neely

Encs.



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